Housing allocations policy 2026

Please note this a draft policy, we have highlighted the proposed changes in yellow for consultation.

Scope:	Applications to join the Housing Needs Register and the allocation of council housing and Registered Provider properties for which the council has nomination rights.
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Author:	Head of Supported Housing and Allocations
Policy Owned by:	Assistant Director, Leisure, Communities and Cultural Services
Statute:	Housing Act 1985; Housing Act 1996 (as amended); Homelessness Act 2002; Localism Act 2011; Children Act 1989; Mental Capacity Act 2005; Equality Act 2010; Armed Forces Act 2021.
National Standards and Guidance	Allocation of Accommodation: Guidance for Local Housing Authorities in England (2012); Right to Move: Statutory Guidance on Social Housing Allocations for Local Housing Authorities in England (2015); Improving Access to Social Housing for Members of the Armed Forces: Statutory Guidance; Homelessness Code of Guidance for Local Authorities (2018); Social Housing Allocations and Lettings: Improving Access for Victims of Domestic Abuse in Refuges or Other Safe Temporary Accommodation (2024).
Related Policies	Council complaints procedure; Local Lettings Policies; Joint Housing Protocol with Hertfordshire County Council.

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1 Scope

1.1 The Housing Needs Register (HNR) is a list of all applicants looking for affordable, rented accommodation in the Welwyn Hatfield borough.

2 Policy Statement

2.1 The operation of a clear and consistent Housing Allocations Policy goes hand in hand with careful monitoring to ensure that housing allocations are fair and non-discriminatory.

3 About

Throughout this policy you will see terms listed in bold print. These terms are explained in an alphabetical document (Glossary) that goes with the policy.

For the purposes of the document "We"/"our"/"us" means:

- Welwyn Hatfield Borough Council, its officers and agents.

3.1 Right to Information, Advice and Assistance

The Council must publish a summary of its Allocations Scheme and provide a free copy of that summary to anybody who asks for one. The whole Scheme is available via www.welhat.gov.uk and contact details are at the back of the Glossary. We will also provide a printed copy of the whole scheme on request but may make a charge for this.

You have a right to general information to help you assess how your application is likely to be treated. For example, whether you are likely to be offered housing and, if so, how long it is likely to take. We will help anyone who has difficulty in making an application by helping them to apply on line at www.welhat.gov.uk or in exceptional circumstances, sending a paper application form. This will need approval from the Housing Allocations Manager.

3.2 How do I complain about the treatment of my application?

If you are unhappy about any aspect of the process we have followed in handling your application, you may use the Council's complaints procedure. Details of this are available on the Council's website www.welhat.gov.uk

3.3 Equality and Diversity

The Council is committed to ensuring equal access and treatment for all applicants. No one will be treated any less favourably because of the protected characteristics which are age, disability, race, religion or belief, sex, sexual orientation, pregnancy/maternity and marriage/civil partnership.

The council will abide by the Equality Act 2010.

An Equality Impact Assessment has been carried out on this policy to assess and mitigate any undue disadvantage to any group.

The council believes that social rented housing should be seen as one of a range of options available to applicants, which include:

- Low cost home ownership/home ownership
- Mutual Exchange (for existing tenants)
- Renting in the private sector

- Intermediate rent products

4 The Housing Needs Register and How to Apply

4.1 Who can join the Housing Needs Register?

Anyone who is over the age of 16 years is able to join our Register unless:

- The Housing Allocations Manager has decided that the behaviour of an applicant (or a member of their household) is unacceptable and is of a serious enough nature to make him or her unsuitable as a tenant. The Housing Allocations Manager will consider all available, relevant facts and circumstances before making this decision. Unacceptable behaviour includes providing false or misleading information.
- An applicant is subject to immigration control or is not habitually resident as described by law.
- An applicant does not have a recognised housing need as outlined in this policy
- An applicant does not have a local connection as outlined in this policy
- An applicant who is considered to have sufficient financial resources to resolve their own housing need. This includes home owners/shared owners or those who have owned a home within the last seven years and exceed our trigger points for income/savings.

4.2 What is the importance of a Local Connection?

The council is committed to supporting sustainable communities by providing homes for applicants with a connection to this borough. In order to be seen as having a local connection with the Welwyn Hatfield borough you must demonstrate local residency, local employment, or a close family connection.

Proposed change: Residence in Welwyn Hatfield will not, by itself, establish a local connection where the applicant is living in the borough solely because they have been placed in temporary accommodation by another local authority. This includes a person placed in the borough in care where another local authority remains responsible for them. Existing statutory exceptions and duties continue to apply.

Reason for change: Clarifies that placement by another authority does not in itself create a residency-based local connection.

Please note: -

- Only applicants who can show a valid local connection will be able to join the waiting list although in exceptional circumstances applicants with no local connection (such as those who have had to flee domestic abuse) may be able to join the list.
- Any applicant who owns a home either in the UK or abroad, regardless of their local connection to Welwyn Hatfield, will be considered to have sufficient financial means to resolve their own housing situation and will not qualify to join the Housing Needs Register.

The following persons will be exempt from requiring a local connection to join the register:

- Persons who are serving in the regular forces or have done so in the five years preceding their application to join the HNR;

- Bereaved spouses or civil partners of those serving in the regular forces where their spouse or partner's death is attributable (wholly or partly) to their service and the bereaved spouse or civil partner's entitlement to reside in Ministry of Defence accommodation then ceases;
- Seriously injured, ill or disabled reservists (or former reservists) whose injury, illness or disability is attributable wholly or partly to their service.
- Any household accepted as homeless under part VII of the Housing Act 1996.
- Any household who is accepted as having a 'Right to Move' from social housing in another Local authority area. (Please refer to the Glossary of terms which outlines the Right to Move in detail)

In the case of no housing need or where an applicant does not hold a local connection. Exception will be made for those over the age of 60 who are registering for sheltered accommodation, providing they are not home owners.

4.3 I am already a Council tenant. Can I still apply?

Yes. We accept applications from council or Registered Provider (RP) tenants but they must give vacant possession of the property that they are leaving.

4.4 Can I make a joint application with someone else?

We will accept joint applications from people who wish to live together as a couple.

In the interests of maximising the use of our housing stock, we will consider prioritisation of applications from tenants who, by forming a household with another tenant, will give vacant possession of two properties to the Council and/or a local Registered Provider (that WHBC nominates to). *Where we consider a proposal to be in our interest the joint application will be put into Band B*. Each decision is made on a discretionary basis by the Housing Allocations Manager and the applications will be subject to the usual checks. If one of the applicants is already in Band A, no further priority may be given to the applicants.

4.5 I have a joint tenancy. Can I still apply?

We cannot accept applications from joint tenants of council/RP homes where they are living separately and are not including the other tenant in their application *as they may be considered to have no housing need*. In these circumstances you should seek the advice of your Neighbourhood Officer.

If you have a joint tenancy and cannot decide who should leave the home, you should contact a solicitor for advice. In such cases, the courts will normally decide which tenant should leave the home.

There is no automatic right to immediate rehousing for the person who leaves the home, *even if the court have authorised the removal of their name from the tenancy* they must find alternative accommodation and if they qualify, join the housing needs register but this is unlikely to provide an immediate solution to their housing needs.

4.6 Children who live with you

All young people under the age of 18 will be treated as children for the purposes of housing allocations. Anyone 16 or older, living with their parents, will be eligible to have their own housing application as well as to be on their parents' housing application.

However, we reserve the right not to offer larger, family accommodation that won't be needed if we are to imminently house an adult member (including 16 & 17 year olds) of the household separately to their parent(s).

Once your youngest child reaches 18, you will no longer be able to queue for two bedroom houses.

4.7 Contact with children

We do not offer family-sized accommodation to an applicant who has contact with children that are not living with them on a permanent basis.

4.8 Can I make - or be part of - more than one application?

No, we do not usually accept applications from people who have already registered a sole or joint application with us. However, we will consider exceptional circumstances.

4.9 How do I join the Housing Needs Register?

You need to fill out the Housing Needs Register form online. Depending on your circumstances, you may also have to complete a Medical Form. Assistance on completing these forms is available from the Housing Allocations Team on 01707 357090.

We aim to assess all applications within five weeks of receiving the form and any supporting information we have asked for.

4.10 Application reviews

Applicants have the right to request a review of certain decisions made about their applications. These include:

- A decision not to accept an application onto the Housing Needs Register.
- A decision on the priority banding of an applicant. This includes applicants not awarded “reasonable preference” as a result of anti-social behaviour.
- Facts taken into account when considering whether to allocate accommodation to a particular applicant.
- A decision to cancel an application.
- A decision to not award medical priority to an application.

Applications for reviews should be made in writing, along with any supporting information you wish to be considered, and they will be considered the Housing Allocations Manager. We will aim to consider the appeal within 21 days of receiving it.

4.11 What documents will I need to provide?

Dependent on the Band you are placed in, we will register your application once we have received proof of identity, income and evidence of where you live. The documents we can accept are listed below. If anything is not provided, we will contact you telling you what we need.

4.11.1. Identity

You will need to provide one form of photographic proof of your identity for you, your partner and any other person over 16 included on your application. This would normally be a passport or a photo driving licence. You will also need to give

us at least one other form of identification for every person on the application. The documents we can accept include:

- Birth certificate
- Marriage Certificate
- Medical Card
- Driving Licence
- Immigration documentation
- Proof of Benefit

4.11.2. Address

We need one proof of current address each for you, your partner and anyone else over 16 included on the application. This could include any of the following:

- Tenancy agreement
- Recent bank or credit card statement (within last three months)
- Recent utility bill (also within last three months)
- If you are living with a parent or guardian, a letter from them confirming your residence, plus proof of their address

4.11.3. Children under 16 included on an application who live with you

We need a copy of the *full* Birth Certificate for each child and satisfactory proof that the child lives with you. This would normally be proof of Child Benefit/Tax Credits and/or a letter from the child's school and any other agencies supporting your family.

4.11.4. Proof of Income

We will need to see proof of income for all household members over the age of 16. This will be wageslips, proof of benefits and for self employed applicants, copy of accounts *and should be dated within the last three months.*

4.11.5. Employment

If your only connection with this borough is through your place of work, you may need to provide evidence of your employment when you apply to join the Housing Needs Register. If you are not asked for this evidence when you first apply, it is likely that you will be asked once you have been bidding for a certain amount of time. The council will also contact your employer for confirmation that you are still employed in the borough before making an offer of accommodation.

4.12 Supporting Checks

We carry out checks for rent arrears or other outstanding debts with any Council or Registered Providers and can cancel applications or make them non active as a result of current or former debts. If you have current or former arrears or there is a current breach of tenancy which your landlord is taking action against you for, you may not be eligible to join the HNR until such time that the Council believes the situation has been satisfactorily resolved. Each case is considered on its individual merits - taking account of specific needs, reasons for the debt/tenancy breach, any repayment plan that is in place and whether this is being maintained.

We also check with the Register of Electors, employers and landlords, and conduct home visits.

If you are a WHBC tenant, your Neighbourhood Officer will visit after you have applied, to inspect your home. They will tell you if you need to do any repairs or decorations before your application is made active and before you will be offered a property.

Your application will be made non active if we need to find out whether you qualify to join or remain on the Housing Needs Register, or where we need to check whether you are eligible for a particular band or property type.

4.13 What if my circumstances change?

You need to tell us before your circumstances change or as soon as possible afterwards, so we can make sure our records are up to date and that your application is prioritised correctly. You can complete an online change of circumstances form at www.welhat.gov.uk

4.14 Deliberately worsening your circumstances

If we think you have deliberately worsened your circumstances to gain extra priority on the Housing Needs Register you will be placed in the priority band you held or would have held before your circumstances changed. This will be reviewed after one year from the date you were considered to have deliberately worsened your circumstances.

4.15 Are these details kept confidential?

We will only share details about your application if you give us permission to do this or, in the case of a criminal/fraud investigation because the police have the right to ask for information from us.

4.16 False or Misleading Information

If we find that you have given us false or misleading information, or have withheld relevant information, we may exclude you from joining the register. This will be agreed by Housing Allocations Manager. If we have already housed you, we can take action to repossess the home. We may also prosecute.

4.17 Changes from sole to joint applications and vice versa

4.17.1. Sole to Joint applications

If you are a sole applicant who does not have a tenancy with the council or Registered Provider and wish to become a joint applicant with another non-tenant, we will reassess your application and update it to include the other applicant. If you are both already registered on the Housing Needs Register we will reassess both applications. We will keep and update the one which has the highest priority and cancel the other.

If you are a sole applicant who does have a tenancy with the council or Registered Provider, we will reassess your application and update it to include the new joint applicant. If that person is already registered on the Housing Needs Register their sole application will be cancelled.

4.17.2. Joint to sole

If we need to end a joint application (for example in the event of a relationship breakdown) the main applicant will normally keep the original application number. We will ask them to complete a change of circumstances form online so that the application can be updated and reassessed. The other applicant will be removed

from the original application and asked to complete a new online Housing Needs Register application form so they can reapply for a sole application. We will assess the new application and write to the applicant with confirmation of their band and banding date.

4.18 Active/Non active applications

If your application is made non-active (placed in pending) you will not normally be considered for offers of accommodation but will stay on the Housing Needs Register. We will usually make an application non-active for a set period of time or until an action has been completed. We can make applications non-active for any of the following reasons:

- If you have not responded to an offer of accommodation, or to a request to contact us about your application. (In these circumstances we would write to you asking that you contact us within 28 days. If you did not make contact within that time we would cancel your application.)
- If we are informed that you have breached your Tenancy Agreement, for example, by acting anti socially, by subletting your home or if your property is in poor condition or decorative order.
- *When we are informed of a change in circumstances and those circumstances need to be reassessed*

We will consider the individual circumstances - including exceptional circumstances, health issues or support needs - of an applicant before making an application non-active. We will also consider the reasons for the debt and any efforts made to repay debt or arrears and/or change to a pattern of behaviour.

4.19 When are applications cancelled?

We can cancel applications for the following reasons:

- If you ask us to cancel your application.
- If you are re-housed as a result of being made an offer of secure accommodation from the council an RP or another Local Authority.
- If you have a sole application that is being replaced by a joint one, or vice versa (see further explanation below).
- If you are no longer permitted by law to remain on the HNR
- If you have not told us that you have changed address and we are unable to contact you.
- If we give you a secure or flexible tenancy, or a local Registered Provider has given you an assured tenancy or starter tenancy.
- If you have succeeded to or been assigned a secure tenancy or an assured tenancy of a local RP.
- If you have had a secure tenancy or an assured tenancy of a local RP vested in your name.
- If you are a secure tenant or RP tenant and buy your current property under the Right to Buy or Right to Acquire.
- If you are a secure tenant and mutually exchange to another property we will cancel and no longer have a recognised housing need.
- If you are a secure or RP tenant and have given up your property or been evicted**.**

- If you have not made a bid for alternative accommodation for 6 months or more. An exception will be made for those who are:
    1. Waiting to downsize from a Council/Housing Association tenancy as a result of under occupation.
    2. Those living in general needs accommodation who wish to move to sheltered accommodation.
    3. Care Leavers we are dealing under the Joint Housing Protocol with Hertfordshire County Council.
    4. Those living in supported housing schemes who are not yet ready to move on.
- If you have a change of circumstances which means you no longer qualify for the Housing Needs Register.
- If you have been served with a Notice of Seeking Possession for your council or RP property due to rent arrears or another tenancy breach.
- If you do not provide requested documents within the time frame given.

4.20 Can I reapply after my application has been cancelled?

You can reapply to join the Housing Needs Register but your new application will not usually be backdated and may not be included in the same priority banding as before. Anyone applying to join the Housing Needs Register, should have a recognised local connection and housing need as set out in this policy.

4.21 Exclusion from the Housing Needs Register

You may be excluded from the HNR for one of the following reasons:

- If you are subject to immigration control
- You are under the age of 60 and do not have a recognised housing need or local connection as outlined in this policy
- If the Housing Allocations Manager has decided that either your behaviour (or that of a member of your household) has been unacceptable or anti-social and is serious enough to make you unsuitable as a tenant. Unacceptable behaviour includes supplying false or misleading information.

We will write to tell you why we are excluding your application from the HNR, and tell you how long it is to be excluded for. This period can be indefinite if the behaviour has been seriously anti-social.

You have the right to ask for a review of the decision. Details of how to do that are below. Otherwise, you can apply again at the end of the exclusion period, when the Housing Allocations Manager will reconsider your circumstances.

In some cases, the Council may decide that the behaviour is not serious enough to remove you from the Housing Needs Register but that your application should not receive any reasonable preference (to which you would otherwise be entitled). 'Reasonable preference' is the term used to describe the factors which are used to decide what priority your application has on the HNR.

5 How we prioritise applications

In order to help those in most need the Council has designed a 'banding' system. All applications are put into one of four bands (A to D) based on an assessment of their housing need.

Applicants in Band A will have the highest priority, with applicants in Band D having the lowest priority.

Band E is reserved for those with no local connection or recognised housing need who are over the age of 60 and are applying for sheltered accommodation.

Applicants are then further prioritised according to the date (their "priority date") that they applied. This means that, within each band, preference will be given to applicants that have been registered for the longest period of time in that band.

5.1 Special arrangements for those in the Armed forces

If an applicant who is in Band A or B and is in one of the categories listed below, extra priority will be given, by giving a date in band on the date in which they (or their spouse/civil partner) entered the regular forces:

Persons who are serving in the regular forces or have done so in the five years preceding their application to join the HNR;

Bereaved spouses or civil partners of those serving in the regular forces where their spouse or partner's death is attributable (wholly or partly) to their service and the bereaved spouse or civil partner's entitlement to reside in Ministry of Defence accommodation then ceases;

Seriously injured, ill or disabled reservists (or former reservists) whose injury, illness or disability is attributable wholly or partly to their service.

Applicants who are given notice to leave the Armed Forces (and their accommodation) are accepted onto the HNR with their date in Band being the date they received their notice.

5.2 Moving between bands

If an applicant moves from a lower to a higher band at any stage, their "priority" date becomes the date that they entered the higher band. For example, an applicant who becomes homeless may move from Band C to Band B but their "priority" date will be the date that they entered Band B.

If a household moves to a lower band, they keep their original 'priority' date.

The Exceptional Circumstances Panel may also determine priority bands in accordance with its delegated powers.

The bands are designed to reflect the following factors:

To give reasonable preference to applicants demonstrating the greatest housing need.

To give extra preference to people who do not own or who have not owned a home(unless you are a home owner who can show financial hardship).

To give extra preference to people who do not have enough financial resource to meet their own housing cost.

5.3 The Priority Bands

NOTE: The term 'household' means everyone who will live within the accommodation being applied for. Therefore single people are 'households'.

5.4 Band A - Applicants with an Urgent Need to Move

- Have been assessed as having Urgent Medical Priority or as having exceptional social circumstances that are seriously affected by current housing and would be helped with a change of housing. This includes applicants in immediate danger.
- ~~A WHBC tenant who needs to move because his/her home is about to be demolished or redeveloped or we need to change the use of your property (subject to time limit).~~

Proposed change – Remove the sentence above and replace with: A WHBC tenant, or a tenant of a Registered Provider property to which WHBC has nomination rights, who needs to move because their home is to be demolished or redeveloped. For a Registered Provider property, this applies where WHBC will regain nomination rights when the redeveloped properties are relet. This also includes a WHBC tenant whose property use is changing. This priority may be subject to a time limit.

Reason for change: Extends the decant priority to include Registered Provider (Housing Association) redevelopment schemes while keeping a time limit.

- A WHBC or RP tenant of a Welwyn Hatfield property with three or more bedrooms who is under occupying the property and will be giving up two or more bedrooms by moving.
- A successor to a WHBC tenancy who is required to move (subject to time limit) because the property is not suitable.
- Succession. This applies to where we require successors to WHBC tenancies to move, and it is subject to a time limit. It also applies where there has been a previous succession but the Exceptional Circumstances Panel has agreed to make an offer of accommodation.
- Occupying a property subject to a compulsory purchase orderand/or WHBC has a statutory duty to move them.
- ~~Be statutorily overcrowded~~

Proposed change – Remove the sentence above allocating Band A for statutory overcrowding. Statutory overcrowding will instead be considered under the relevant bedroom-deficiency/overcrowding, medical and social-need criteria, according to individual circumstances.

Reason for change: Avoids an automatic Band A award where other criteria already address the household's housing need.

5.5 Band B - Very High Need to Move

- A homeless household towards whom WHBC has accepted a main duty, and who are either in temporary accommodation or have been registered as "homeless at home"
- A household that WHBC has assessed as meeting the requirements of the main housing duty (to include separated families).
- A household who has been deemed to have very high social circumstances that are seriously affected by current housing and would be helped with a change of housing.
- A person or household that has a need to move from care or supported housing, and/or re-housing has been agreed by WHBC under a special quota scheme (subject to a time limit)
- A tied tenant whom WHBC has a contractual obligation to re-house when their employment ends.

- ~~A tenant of WHBC or a local RP (that WHBC nominates to) with a dependent child or children, occupying a flat above third floor or a bedsit.~~

Proposed change – A household with a dependent child under five occupying a flat above the third floor without lift access.

Reason for change: Limits automatic Band B priority to circumstances where upper-floor access is physically difficult. Bedsit would be removed under this proposed change.

- A tenant of WHBC or a local RP (that WHBC nominates to), occupying a property where three or more children have to share a bedroom.
- A tenant of WHBC or a local RP (that WHBC nominates to) where 2 persons of opposite sex both have to share a bedroom, where at least one is over 10 years old .
- An ex WHBC tenant whom the Council at the time the tenancy ended, agreed to re-house at a future date.
- Applicants who, by joining together to form a single household, will give vacant possession of two properties and/or a local RP property (that WHBC nominates to).
- A tenant of WHBC or a local RP (that WHBC nominates to) who is under occupying the property and will be giving up one bedroom.
- A tenant of WHBC or a local RP (that WHBC nominates to) who wishes to move from General Needs accommodation to Supported Housing for people over 60 and/or with support needs. This also includes council tenants whose home is due to be decommissioned.
- ~~A tenant of WHBC or a local RP (that WHBC nominates to) who is pregnant and occupying a flat above third floor or a bedsit.~~

Proposed change – to replace sentence above with: An applicant who is pregnant and occupying a flat above the third floor without lift access.

Reason for proposed change: This targets the access difficulty rather than the floor level alone. The current bedsit criterion would not be retained.

- A WHBC tenant living in an adapted property where those adaptations are no longer required but could be used by another resident with such a need.

Proposed change – add: A household living in accommodation that cannot be adapted to meet its medical needs, where this is confirmed by an Occupational Therapist (OT) report.

Reason for proposed change: Establishes an explicit, evidence-based route to Band B.

NOTE: This band also recognises applicants with Composite Housing Need. This is a term given to applicants who have been assessed as either High Medical Priority or lacking two bedrooms (or more) plus at least one other factor from the list under Band 'C'.

5.6 Band C - High Need to Move

- Have been assessed as High Medical Priority. The applicant's current accommodation will be deemed as not appropriate for their medical needs.
- A household that lacks two bedrooms or more.
- A household who has been deemed to have high social circumstances that are affected by current housing and would be helped with a change of housing.

- A household with no security of tenure with dependent child (or children), which needs to share facilities within their accommodation.
- A household that has received a valid Notice to Quit from their current landlord to whom WHBC would owe a main duty when homeless.
- A tenant of WHBC or a local RP (that WHBC nominates to) who has held a tenancy in bedsit accommodation for at least one year and is seeking a one bedroom flat.
- A tenant of WHBC or a local RP (that WHBC nominates to) where a parent has to share a bedroom with a child.
- An applicant who has been verified as a Rough Sleeper by the Council's Outreach service.
- Applicants who are living in unaffordable accommodation, who do not have reasonable alternative options, and this has been verified by a Housing Options Officer or Manager within the Council.

5.7 Band D - Identified Housing Need

- A member of the household has been assessed as having a Recognised Medical Priority or unsatisfactory housing conditions, such as overcrowding by lacking one bedroom or lacking amenities unless the Council has assessed you have sufficient financial resources to resolve your own housing need.
- A homeless person or household that does not qualify for Band B. That is, a household towards whom WHBC does not have a statutory housing duty under homelessness legislation.
- A household with no security of tenure without a dependent child (or children), which needs to share facilities within their accommodation.

5.8 Band E - Other Housing Requirements

- No Local Connection to the Borough exists and/or the applicant has no identified housing need (as defined in Bands A to D) but who are over the age of 60 and applying for sheltered accommodation.

6 How We Allocate Properties

With the exception of specialist (such as Extra Care housing or temporary housing for homeless applicants) all properties will be advertised through the Council's website www.welhat.gov.uk

Applicants will need to bid (express an interest) on properties they wish to be considered for. Advertised properties will have details of who is eligible to bid for the property. If applicants are not eligible their bid will not be considered. By advertising properties and inviting applicants to apply, the Council is enabling them to choose where they want to live.

In order to ensure we make the best use of our housing stock, we will label some properties for transfer applicants only. This will help create vacancies so that we can best meet housing need. These decisions will be recorded at Exceptional Circumstances Panel.

All applicants joining the housing needs register will be given additional information digitally, which explains how bids can be made.

6.1 Shortlisting

When deciding who to offer a property to we take account of three factors in the following order:

1. Property Eligibility that is applicants' ages, household size and make up in relation to the size and type of property being allocated.
2. Banding Priority on the Housing Needs Register (A to E)
3. Time registered in the band (priority date). Where more than one applicant from the same band has bid and are eligible for the same property, the person who entered that band first will be considered. If more than one applicant shares that date, then the choice will be made on the basis of who has been on the HNR the longest (that is to say, the person who applied first).

The Exceptional Circumstances Panel can make exceptions to this where exceptional circumstances exist.

6.2 Property Eligibility

Details of which properties applicants may be eligible for are contained in the tables at the end of this document. We will also make this clear on our property adverts. We expect to make best use of our properties, so for each property type we have set out which household type and need will be given the most priority.

Proposed change – add: An applicant pregnant with their first child may be considered for two-bedroom accommodation once satisfactory evidence of pregnancy (normally MATB1 or equivalent) is provided. Before an offer is made, affordability will be considered, including any benefit restrictions applying before the child is born.

Reason for proposed change: Formalises the provisional practice, subject to evidence and affordability checks.

Some households will have special needs, such as a mobility issue. We will set out in the advert for the property if there are special features and which bidders will be given priority.

The Council wishes to make the best use of its housing stock and so in some circumstances a tenant occupying a family sized home, but who wants to move to a smaller property can be considered for properties which are one bed space above their needs. Similarly tenants may be considered for houses, rather than flats or maisonettes. Approval for this needs to be given by the Housing Allocations Manager.

6.3 Applicants who require significantly adapted property

Where the council considers (usually on the advice of the council's Independent Medical Advisor) that an applicant has a requirement for a significantly adapted property, the application will be 'flagged' to show this.

When we advertise a property that has had significant adaptations, we will say on the advert if we are giving extra priority to applicants on this basis. We will then prioritise those applicants from the shortlist, who have an appropriate 'flag' within Bands A to C. This means that an applicant with a flag will have a priority above an applicant who does not have a flag, even if that applicant is in a higher band.

If an applicant successfully bids for an adapted property, but on viewing the property it becomes clear that further adaptations will be required to make it suitable, we will make an assessment as to whether or not the property can be offered.

6.4 How are purpose built or significantly adapted properties allocated?

Properties that have been purpose built or significantly adapted for people with disabilities will be advertised. However we will give priority to bidders who have a special need for them. Please see Section Applicants who require significantly adapted property above.

6.5 How are partially adapted properties allocated?

We will put details of less significant adaptations in the advert, so that people can make an informed choice about whether a property is suitable.

Examples of partial adaptations may be a level access shower, ramps or widened doorways. In the case of a partially adapted property, we will usually give priority to those applicants who need a particular adaptation over an applicant who does not, within the same band. Where this is the case, we will state this in the advert.

6.6 Ground floor flats

Priority for ground floor flats will usually be given to bidders in Bands A-C who have a medical problem which means that ground floor accommodation is required. This will be clearly labelled in the property advert, where appropriate.

6.7 Local Lettings Policy

The Council may agree a Local Lettings Policy for properties in its own stock or in partnership with Registered Providers. These policies will outline any specific local letting initiatives for the neighbourhood, taking into account supply and demand and other management factors.

The local letting policies are normally short term measures put in place to address specific local issues - such as promoting sustainable communities and creating balanced communities. Measures may include:

- Increasing the proportion of tenants in employment
- Reducing child density in an area
- Reducing anti-social behaviour or incidence of crime in an area

Local lettings policies may override the normal shortlisting rules for specific neighbourhoods, local housing estates or developments for a specific period of time. Policies will be monitored, developed and amended in response to local circumstances or supply. The use of Local Lettings Policies have to be agreed at Exceptional Circumstances Panel.

6.8 Sheltered Accommodation

This accommodation is for those with low to medium support needs

Those wishing to move to sheltered accommodation who do not meet the usual age requirement, can be considered for such accommodation if they have medical factors. Approval for this needs to be given by the Housing Allocations Manager.

Properties in neighbourhood and traditional sheltered housing schemes are reserved only for people over 60 or others with support needs. All sheltered housing properties have emergency call equipment connecting them to the Council's 24-hour control centre.

Neighbourhood schemes have no communal facilities attached. Traditional schemes will have communal facilities available, although these may vary they

generally include a communal hall / lounge, communal gardens and laundry facilities.

All sheltered housing properties are charged the Communal Facilities charge which is applied to all tenancies irrespective of whether the services of the Independent Living Officer and use of the facilities are utilised.

Priority for two bed sheltered accommodation will be given to those with a need for it due to the size of their household, identified medical reasons or those downsizing from larger accommodation.

Properties on neighbourhood schemes may be situated amongst homes that are not reserved for elderly people or people with support needs. Some of these properties may be considered for decommissioning in the future. Decommissioned properties are subject to a Local Lettings Policy which will be labelled in the advert and will only be offered to bidders who meet the set criteria until every property in that particular block has been decommissioned.

6.9 Households with specific property needs

We will consider applicants' specific property needs and we will try to meet these where possible and appropriate.

If you bid for something that you are eligible to bid for, but it is apparent to us that the property is not suitable for your specific needs, we will overlook your bid and explain the reasons for this.

6.10 Registered Provider Nominations

All RP properties for which we have nomination rights will be advertised in the same way as our own properties. We nominate applicants to local registered landlords in accordance with the same priorities we use in allocating Council-owned dwellings. Some RPs sometimes use extra rules, however. An example would be the size of household that may occupy a property. If this is the case, this will be clearly stated in the advert.

7 The Bidding Process

Applicants can bid on the website www.welhat.gov.uk. Applicants can bid for as many properties as they wish at a time.

The majority of bids will be made directly by applicants, however in certain circumstances the following may apply:

7.1 Auto bidding

This is where an applicant may need help with the bidding process and a third party has not been identified to assist them. The Council will speak to the applicant about their preference of area and property type and then set up Auto-Bidding.

~~All applicants who we have accepted a full duty to under the homeless legislation will be set up for Auto-Bidding as soon as duty has been accepted.~~

Proposed change – replace sentence above with: All applicants to whom we have accepted a homelessness duty will be set up for Auto-Bidding as soon as that duty has been accepted. This includes applicants owed a prevention duty, relief duty or the main housing duty.

Reason for change: Enables earlier identification of suitable housing opportunities for people threatened with or experiencing homelessness.

7.2 Approved bidding

Some applicants will be marked as 'approved'. This means that the applicant can bid for properties themselves, but that certain restrictions may be placed on where they can live or the property type they can be offered. For example an applicant who has a history of offending behaviour and we do not want them to live near their victim(s) in such cases, the bid will need to be approved before an offer will be made. We will make applicants aware that their bids will need to be approved.

7.3 Time limited bidding

Some applicants will be subject to time limited bidding. This means applicants will be given a time frame for how long they can bid before 'active' bidding (as described above) will be introduced. Each case will be considered on its own merits and in certain circumstances the original time frame may be extended - for instance because a suitable property has not become available. Examples of where time limited bidding will apply:

Proposed change – add to policy: Band A applicants will have their bidding activity monitored for an initial three-month period. Where a Band A applicant is not bidding appropriately after that period, the Council may introduce Auto-Bidding. This will not normally apply where Band A priority arises from downsizing.

Reason for change: Introduces a review point for urgent-need applicants while protecting the downsizing exception.

- An applicant who has been given a higher priority band due to an urgent need to move, such as domestic violence or harassment
- A statutory successor, who is living in accommodation unsuitable for their needs
- An applicant who has been placed in a higher priority Band as a result of an agreed quota scheme

These bids will be monitored and if applicants are not bidding appropriately the additional priority would need to be reconsidered.

8 How we Make Offers of Properties

We will draw up a shortlist of all applicants who have bid for the property. We will verify each applicant in turn, working from the top of the list.

At this stage we will check the following:

- That the details of your application are accurate, including eligibility for the property and the priority band in which you have been placed.
- That there has been no change of circumstances
- That your current rent account, the condition of your property and conduct of your tenancy (for tenants of the council and local Registered Providers) is satisfactory
- Whether there are any support issues that require a support plan
- For an approved bidder, we will also check if the bid made is within the criteria we have agreed

When you are eligible for an offer of accommodation we will contact you. Offer letters may be emailed hand delivered or posted. We may also contact you by phone or email. If you are a WHBC tenant, any offer is subject to your home being in a satisfactory decorative condition, not damaged and with no unauthorised alterations.

8.1 Pre allocation Offers

We sometimes offer a property before it is ready for letting. The property may even still have a tenant living there under Notice that the tenancy is to end. This is called 'pre-allocation'.

8.2 Accompanied Viewings

We always aim for the Neighbourhood Officer to attend the viewing of the property with the successful applicant. For sheltered properties, the Independent Living Officer will also attend. Normally, no viewing will take place until the necessary repair works have been completed.

8.3 Provisional Offers for people with support needs

Properties that are reserved for people over 60, or with support needs only, may be offered on a 'provisional' basis, subject to a satisfactory Needs Assessment. The Independent Living Officer completes the assessment in order to find out whether the scheme is suitable for you, and that your needs can be met by the supported housing service.

8.4 Applicants who have Personal Connections with Council employees, Council Board members and representatives

Staff offering a property to any of the following applicants must pass the details to the Head of Housing and Community or the Head of Housing Operations. They will arrange for the offer to be checked.

- All Council employees
- Family members of Housing Services staff, or anyone else with whom they have a close personal connection.
- Any Welwyn Hatfield Council Member
- Any member of the Welwyn Hatfield Tenants' Panel

8.5 When are offers not made?

Offers will not be made if any of the following applies:

- If a property has been purpose built, or significantly adapted for a person with a disability and you do not need that type of property.
- If we are made aware that you have rent arrears or a debt relating to a current or former tenancy.
- If you are below the age of 18 and have no guarantor and no support being provided by Social Services.
- If a local lettings policy is in operation and you do not meet the criteria.
- If you would be bringing pets that are not allowed.
- If a nomination to an Registered Provider would not meet the rules of that landlord about income, household size and or for any other reason.

- If you need a level or type of support that the property or scheme cannot provide.

8.6 When are offers withdrawn?

An offer may be withdrawn for one of the following reasons:

- If we find that the property is not suitable for your needs or circumstances.
- If we find that you are not entitled to the offer.
- If you are currently a WHBC tenant and the condition of your current property is not satisfactory.
- If you have not responded to the offer.
- Where an error has been made in the advertising criteria
- Where there has been a serious breach of tenancy subsequent to the offer, but before it has been accepted.

8.7 How long do I have to decide?

We would normally expect a decision from you within two working days of the offer being made.

If we have received no response within two days *and have been unable to contact you, we may withdraw the offer and treat it as a refusal.*

8.8 What if I refuse an offer?

Generally applicants may refuse any offer of accommodation they have successfully bid for without penalty. However, if an applicant refuses three offers, we will contact them to discuss this. In exceptional circumstances, where there have been multiple refusals, the Housing Allocations Manager will be asked to consider whether the application should be made 'non active' for a period of time. Applicants who we have accepted a duty to under the homeless legislation or are considered as a separated family/homeless at home are normally expected to accept the first offer that is made to them.

8.9 Time limited bidders

If you have refused an offer and you are a 'time limited' bidder, we will contact you immediately to check your reasons and to ensure that you understand any implications this may have. In certain circumstances, if you do not accept an offer of housing within the timeframe given, your priority will be reduced. (For example if you are an applicant who has been placed in Band B because the council believes you are likely to be homeless, and priority need, and we wish to prevent this).

8.10 What happens when I accept an offer of accommodation?

When the property is ready for letting, we will write to invite you to the Housing Office to sign for the tenancy and complete other paperwork.

If you are already a tenant of WHBC or a local RP, you must give up vacant possession of your current home and return the keys on an agreed date (normally the date the new tenancy starts). If you return the keys late, you will be charged rent on both properties. If you claim Housing Benefit or Universal Credit you will normally have to cover this cost yourself. You will need to contact Housing Benefits/Universal Credit teams for further advice.

Once you have accepted and signed for the tenancy, your HNR application will be cancelled. You will then be expected to use the property as your main home and otherwise keep to the terms and conditions of the tenancy agreement.

9 What type of tenancy will I be offered?

There are several different types of tenancy.

9.1 Secure Tenancies

This is a permanent tenancy of a Council property. If you are a secure tenant we cannot evict you without a court order, and possession can only be granted on certain grounds. There are other rights associated with a secure tenancy including the Right to Buy and the Right to Mutually Exchange.

9.2 Assured Tenancies

Registered Providers grant assured tenancies. They are similar to secure tenancies given by the Council. If you are nominated to a Registered Provider property and have an assured tenancy your landlord cannot evict you without a court order, although the grounds for possession may be slightly different than for a Council tenant. Assured tenants can mutually exchange (with Council tenants as well as Registered Provider tenants) and may be able to buy their home under the Right to Acquire scheme.

9.3 Non-Secure Tenancies

Non-secure tenancies are temporary tenancies. We offer them to people to whom we have an interim (temporary) or full duty under the homeless provisions of the Housing Act 1996 (part 7). If you are a non-secure tenant you do have certain rights but not have the full rights of a secure or assured tenant. For example, there is no Right to Buy and no right to mutually exchange.

9.4 Sole and Joint Tenancies

We offer sole tenancies to single applicants. We would normally offer a joint tenancy to co-habiting couples and other people living together (or wanting to live together) as a couple, unless immigration control applies. Sole and joint tenancies may be secure, non-secure or assured.

9.5 Registered Provider

A starter tenancy is an assured shorthold tenancy issued by a housing association. A starter tenancy normally lasts for one year and, provided no legal action has been taken due to a breach of tenancy conditions, the tenancy becomes assured at the end of the trial period.

9.6 Fixed Term Tenancy (Sometimes called Flexible)

This is an assured tenancy of a Registered Provider which is granted for a fixed period, for example 5 years. At the end of this period a review will take place of your circumstances to determine whether you will be offered another fixed term tenancy in this property.

9.7 Flexible Tenancy

Tenants (except those in sheltered housing) who signed up between April 2013 and November 2023 were granted 5 year fixed-term flexible tenancies.

Following a consultation, we have ended the use of these fixed-term flexible tenancies.

When the fixed-term flexible tenancies end (after five years) they will automatically roll on to a secure tenancy. Tenants who transfer to a new WHBC tenancy will be given a secure tenancy for their new home.

10 Exceptions and Special Allocations

The Exceptional Circumstances Panel must approve these.

10.1 Following the death of a tenant

There might be circumstances where, following the death of a tenant, the person(s) remaining in the property has no legal right to succeed to the tenancy but the Panel agrees to re-house them in another property.

Where a person has succeeded to a home that is too large or unsuitable for their needs, the Council will require them to move to more suitable accommodation. If they choose to do so through the Housing Needs Register, their application will be placed in Band A. for an agreed time limit. Each case will be considered individually and the time limit will be based on the applicant's circumstances and the type of property they are considered suitable for.

10.2 Management Transfer

In order to make the best use of our properties, we may re-house applicants outside the standard scheme if it will release a property that is suitable for a person with disabilities or special needs, or if it is a type of property that rarely becomes available and is urgently needed by another applicant.

The accommodation released might be one of our own properties or be owned by a RP or other responsible landlord.

10.3 Special Project nominations

The Council is able to nominate applicants to a number of support schemes. These currently include Housing First, Paradigm, GAP Scheme, The Foyer Project, Mably House, care leavers and the YMCA. Nominees must be in housing need and on the Housing Needs Register.

10.4 Other exceptional cases

Properties needing "sensitive" allocation (where an LLP is in place), including **decommissioned** properties in a block that has not been fully decommissioned.

The Exceptional Circumstances Panel also has powers to consider other special cases where an exception to the Council's usual policy may need to be made.

Special Allocations not normally requiring Exceptional Circumstances Panel approval:

10.5 Special Schemes

For example: new bungalow developments reserved to give priority to elderly tenants who are currently living in accommodation too big for their needs in the immediately surrounding area.

10.6 Social Services co-operation

In some cases we might co-operate with Social Services in helping to provide services for children in need, under the provisions of the Children Act 1989, or other people with special needs.

We will also consider exceptions when applications are received where Hertfordshire County Council are involved in the case due to one of the following reasons:

- Possible Adoption or Fostering
- Special Guardianship Orders
- Child arrangement orders

The Housing Allocations Manager will consider the case in consultation with Hertfordshire County Council. Each case will be considered on its own merits given the information available to us and the likelihood of the applicants housing situation being resolved through the Housing Needs Register.

10.7 Surrender of Tenancy Scheme

This is a scheme for WHBC tenants who give up their tenancy and move out of the immediate area temporarily (normally for one to two years). We agree to re-house them on their return or, if they choose they may bid for a property managed by a Registered Social Landlord.

If you want to join this scheme you must apply before ending your tenancy and must join the Housing Needs Register when you return. Any application for this scheme must be approved by the Neighbourhood and Enforcement Manager.

How quickly you will be able to bid successfully on your return will depend on the availability of suitable properties and whether other applicants are in more urgent need.

The housing offered will normally be dependent on your household type or size at the time but will not normally be larger than the home you previously occupied.

10.8 Shared Ownership

If you would like to own your own home, but cannot afford to buy a property outright on the open market, shared ownership may be an option. If you are currently employed or have enough other means to pay for the mortgage and associated costs, you may be eligible.

The scheme enables you to buy a share of a property from a RP and pay rent on the remainder. The percentage initially purchased is between 25% and 75% and the share may be increased, if you can afford it, until you own the whole of the property.

10.9 Capacity to hold a tenancy

Taking on a tenancy or a licence means entering a contract. This requires legal capacity.

In lay terms legal capacity means three things:

- being able to make a decision
- understanding there is a choice and wanting to enter a contract
- understanding the obligations of the contract e.g. to pay rent, keep the terms of the tenancy

In law there is a presumption that a person is capable until proved otherwise. The test of capacity should be functional i.e. take account of the particular activity and the complexity of the elements of the contract not a blanket test that a person is incapable of understanding. A Housing Options Officer will meet with the applicant and assess all circumstances including professional opinions from those organisations working with the applicant in line with the Mental Capacity Act 2005.

11 Eligibility Tables

11.1 PROPERTIES FOR WHICH DIFFERENT HOUSEHOLD TYPES MAY APPLY

Property type	Single	Couple	Older People (over 60)	Entitled to 2B accom	Family entitled to 2B accom	Family entitled to 3 bed accom	Family entitled to 4+ bed accom
Bed sit	X	X	X				
1 bed flat or maisonette	X	X	X				
1 bed house	X	X					
2 bed flat or maisonette	X	X	X				
2 bed flat or maisonette below 3rd floor				X	X		
2 bed flat or maisonette 3rd floor or above		X		X	X		
2 bed house					X		
3 bed flat/maisonette					X	X	
3 bed house						X	X
4 bed house							X
5/6 bed house							X
1 bed bungalow*	X	X	X				
2 bed bungalow*	X	X	X	X	X		
3 bed bungalow*				X		X	X

* Bungalows will only normally be offered to applicants over 60 or those with a disabled family.

** Sheltered properties carry an additional small charge.

11.2 HOUSEHOLD TYPE COMPOSITION

Welwyn Hatfield Household type	Number of people in this group
Couple	2 over 16
Ent. to 2 bed accommodation	1 / 2 over 16 +/ 1 child over 18
Ent. to 2 bed GF accommodation	1 / 2 over 16 +/ 1 child over 18. At least one person in the family requires ground floor accommodation
Family 4/more beds	1 / 2 over 16 with 4 or more children
Family ent. to 2 beds	1 / 2 over 16 with one child under 18
Family ent. to 3 beds	1 / 2 over 16 with two or three children
Older person Couple	2 where one is over 60 years of age
Single older person	1 over 60
Single	1 over 16

11.3 GENERAL NEEDS PROPERTIES PRIORITIES TABLE

Welwyn Hatfield Household type	Number of people in this group
Couple	2 over 16
Ent. to 2 bed accommodation	1 / 2 over 16 +/ 1 child over 18
Ent. to 2 bed GF accommodation	1 / 2 over 16 +/ 1 child over 18. At least one person in the family requires ground floor accommodation
Family 4/more beds	1 / 2 over 16 with 4 or more children
Family ent. to 2 beds	1 / 2 over 16 with one child under 18
Family ent. to 3 beds	1 / 2 over 16 with two or three children
Older person Couple	2 where one is over 60 years of age
Single older person	1 over 60
Single	1 over 16

Note: A family can be a couple or single person with one child or more living with them.

11.4 PROPERTIES PRIORITIES TABLE (FOR PEOPLE OVER 60 OR WITH SUPPORT NEEDS)

PROPERTY TYPE	PRIORITY HOUSEHOLD GROUP
Bed-sitter/one bedroom flats and bungalows designated for use by older people where the Communal Facilities Charge is payable.	Single people, couples who are over 60 AND Single people, couples, who have support needs
Two bedroom flats and maisonettes designated for use by older people where the Communal Facilities charge is payable.	*Those over 60 who are downsizing or need a two bed due* *to household size or medical reasons.* *Single people, couples who are over 60* *AND* *Single people, couples, who have support needs*
Two bedroom bungalows designated for use by older people where the Communal Facilities Charge is payable.	*Those over 60 who are downsizing or need a two bed due to* *household size or medical reasons* Single people, couples, who are over 60 AND Single people, couples, who have support needs

12 Access to information

We want our customers to be able to access information and services as easily as possible, in ways that suit them.

We can provide information in different formats or other help where this is needed. The type of help we can provide includes:

- Translations into:
- Different languages
- Braille
- Easy Read
- Large Print
- Audio
- Accessible pdf documents
- Telephone interpreting
- Face-to-face interpreting (including sign language)

Please contact us if you need help accessing any information about our services.

13 Glossary of Terms

This glossary is in alphabetical order and contains definitions of the terms printed in bold in the Housing Allocations Policy document. If any of the definitions here is unclear, you may contact the Neighbourhood Housing Offices for advice.

Adaptations

Adaptations are changes to a home, usually funded by the council, that make it accessible or suitable for a tenant with physical challenges or disabilities. These may be very specific to the needs of person currently living there, but the council will always seek to re-use such facilities where possible.

Anti-Social Behaviour

This is behaviour which causes nuisance, alarm or distress to one or more persons not of the same household as the perpetrator.

Banding

Banding is the method we use to award priority to applicants. There are five bands and these reflect the comparative urgency of applicants' need to move.

Bidding

This is the process by which applicants register their wish to be considered for a particular property, for which they are eligible. No money changes hands in this process.

Communal Facilities

These are facilities within a block or complex to which all residents have access, such as laundry, common rooms, kitchens and entrance halls.

Communal Facilities Charge

This is a small charge made by the Council for its sheltered properties. It is charged regardless of whether the scheme manager provides support or not. It is not payable by housing benefit.

Composite Housing Need

Applicants with Composite Housing Need will be placed in Band B. Composite Housing Need is a term given to applicants who have been assessed as either High Medical Priority or lacking two bed spaces (or more) plus at least one other factor from the list under Band C.

Compulsory Purchase Order (CPO)

A CPO is a legal tool used in the United Kingdom and also in the Republic of Ireland. It allows certain bodies to obtain land or property without the agreement of the owner, if they need to. For example, a CPO may be used when building a motorway if a land owner does not want to sell. Similarly, if a town council wants to develop a town centre, it may issue one or more CPOs.

Decommissioned/Decommissioning List

Some council-owned/Trust properties are designated for use by elderly residents and will only be offered to applicants over the age of sixty. These addresses will generally be subject to the communal facilities charge.

Where demand is low, these addresses may be decommissioned, or re-designated for general use by applicants of any age. We do not take this decision lightly and will look to let recently decommissioned properties sensitively.

Dependent Child

A dependent child is a person in a household aged 0 to 15 (whether or not in a family) or a person aged 16 to 18 who is a full-time student in a family with parent(s).

Exceptional Social Circumstances

The Housing Advice Manager can consider applicants with *exceptional* social circumstances. These will be factors or events that are outside of the provisions of the Allocations policy. For example, where the Police recommend that we move someone for their own safety, or where a Court orders that we do so.In assessing such cases, the Housing Advice Manager will consider how an applicant's current living arrangements affect the situation, and whether a change of accommodation is *necessary* to improve the situation.

Financial Resources

We will assess all applicants to decide if they have enough money to reasonably afford to buy or privately rent a property that is suitable for them. Each application will be considered on its own merits, taking in account the type of property needed and any special circumstances.

When we are deciding what an applicant can afford we will look at their household income, savings, investments, inheritance and so on. We will also consider any existing interest in an owned property or money received from the sale/transfer of an owned property.

We will look at things that may affect an applicant's ability to secure their own housing, such as their household size, age and health. We will also look at any existing financial commitments, such as child maintenance, and things that may affect an applicant's ability to secure a mortgage - for example, a county court judgement.

Those applicants whom we consider to have sufficient resources to buy in the private market will be placed in Band E if they are over 60.

Households in priority need

The priority need groups include households with dependent children and pregnant women. It also includes people who are vulnerable in some way - for example because of old age, mental illness, physical disability, or another special reason.

In 2002, an Order made under the 1996 Act extended the priority need categories to include:

- applicants aged 16 or 17;
- applicants aged 18 to 20 who were previously in care;
- applicants vulnerable as a result of time spent in care, in custody, or in HM Forces,
- applicants vulnerable as a result of having to flee their home because of violence or the threat of violence.

Where a main duty is owed, the authority must make sure that suitable accommodation is available for the applicant and his or her household. The duty continues until a settled housing solution becomes available for them, or some other circumstance brings the duty to an end.

Where households are found to be intentionally homeless or not in priority need, the authority must assess their housing needs and give assistance and advice to help them find accommodation for themselves.

Homeless at home

Homeless at home applicants are those to whom the council has accepted a main homelessness duty but who do not need re-housing at the present time. They are applicants who have somewhere to live but do not have a home of their own, for example an adult child living with their parents.

Home Owners (and Former Home Owners)

We define home owners as:

- People who have any freehold or leasehold interest (whether in joint or sole names) in a property. This includes:
  - Interests in properties abroad
  - Interests in properties that have been sublet
  - Interests in shared equity or part rent part buy properties.
- People acquiring a freehold or leasehold interest in a property (whether in joint or sole names). This includes the Right to Buy and Shared Ownership schemes.
- People who own or part own a sited mobile home or houseboat.

Former Home Owners are:

- People who, in the past seven years, have had any freehold or leasehold interest in a property, whether in joint or sole names.
- People who still have their names on the title deeds of a property that has been repossessed, but not yet sold.
- People who still have their names on the title deeds of a property that is for sale and the proceeds are likely to go to an official receiver following bankruptcy.

Former home owners who have owned a property in the last seven years will normally not be entitled to join the housing needs register unless they can demonstrate financial hardship.

However, a former home owner may be able to join the housing needs register if they can show they did not make a significant financial gain from the sale of the property, and also have a valid local connection.

Gifting of Properties

Owner occupiers who gift properties will normally be excluded from the register until seven years have passed from the time of the gift.

Homeseeker

A Homeseeker is an applicant who does not currently hold a secure or assured tenancy with any council/Trust or RSL within the Herts Choice Homes area.

Immediate Danger

Applicants who tell us they are unable to remain in their present home because it is dangerous to do so will be assessed by the council's officers and a decision made as to which banding would best reflect the applicant's circumstances this could involve a housing options appointment or a decision made at senior officer housing panel to determine what band they should be awarded.

Immigration Control/Status

Some people have restrictions placed on them owing to their immigration status. On this basis, they may not be eligible to join the Housing Needs Register (HNR). Although applicants who are subject to immigration control are not eligible for the HNR, other members of the household may be eligible if they are not subject to control.

If a housing application is accepted, and a member of the applicant's household is subject to immigration control, we will treat the application exactly as we would any other in terms of priority banding. However, we cannot offer a joint tenancy to include anyone subject to control.

Joint Residency Orders

A court may make a residence order under the Children Act 1989. This specifies who the child lives with and gives the carer parental responsibility.

In some circumstances a court will make a joint residence order, specifying that the child will live with both parents at their separate homes.

Local Connection

To have a valid local connection an applicant must:

- Have lived in the area for more than five years

or

- Work in the area on a permanent basis for a minimum of 16 hours a week and have done so for 5 years or over.

or

- Have a member of close family (i.e. parent, adult child or sibling) living in the area for ten years or more
- Exceptional circumstances to be considered by the Housing Allocations Manager
- Any household who is accepted as having a 'Right to Move' from social housing in another Local authority area. (Please refer to the Glossary of terms which outlines the Right to Move in detail)

Only applicants with a local connection can join the housing needs register

Local Residency

Local residents are defined as people '*normally resident'* in the Welwyn Hatfield Borough. This includes people whose only or main home is in the Welwyn Hatfield borough and also:

- People living permanently in local Social Services group homes.

- Students living and studying inside or outside this borough so long as they were normally resident in the borough for at least one year before starting their studies.
- Students with dependent children who normally live with them.
- People temporarily living outside of the Welwyn Hatfield borough whilst receiving medical or respite care, or serving a prison sentence.

People not considered to be normally resident within the Welwyn Hatfield borough are those living here temporarily. This includes:

- Anyone who is living in the Borough whilst on holiday or for hospital treatment.
- Anyone who is living in the borough due to being temporarily housed here by another authority. This will include people who are in care who are the responsibility of another local authority.
- Anyone who is living in the borough as a student, if they were not normally resident here for at least a year before starting their studies and/or they have no dependant children living with them.

No Fixed Abode Applicants

These applicants must normally show they have lived here for five years.

Local Employment

This means being employed in the Welwyn Hatfield Borough as the normal place of work, for at least 16 hours a week. Unless the applicant is self-employed, there must be a current contract of employment for a permanent job.

If an applicant is self-employed, they must have an office in the borough. If they are a contractor working locally for an extended period (one year or more) we will ask for a letter confirming this from their employer.

Note: Students are not considered to have a valid local connection through local employment, even if they work over 16 hours a week.

Local Lettings Policies (LLPs)

Local Lettings Policies are normally short term measures put in place to address specific local issues, with the aim of creating balanced and sustainable communities. Priority for particular properties is varied and the normal short listing rules for specific neighbourhoods may be overridden, for a specific period of time, in order to achieve a better tenant mix.

LLPs may address issues such as:

- Increasing the number of people in employment
- Reducing child density in an area
- Reducing anti-social behaviour or the incidence of crime in an area.

Properties may be allocated on the criteria of age or household composition (for example) taking into account factors such as supply and demand.

We may recommend an LLP for properties in Welwyn Hatfield Council's own stock, or in partnership with Registered Providers. Policies are monitored, developed and amended in response to local circumstances.

Main Duty (Statutory homelessness)

Each local housing authority has to consider housing needs within its area, including the needs of homeless households whom they have a statutory duty to help.

The Housing Act 1996 (amended by Homelessness Act 2002), places a statutory duty on local housing authorities to make sure that advice and help for households who are homeless, or threatened with homelessness is available free of charge.

A "main homelessness duty" is owed where the authority is satisfied that the applicant is:

- eligible for help;
- unintentionally homeless; and
- falls within a specified priority need group.

Medical priority

If there is a link between a serious medical problem and an applicant's housing conditions they can apply for a medical assessment. To do this the applicant must fill in a medical assessment form.

Medical priority varies according to circumstance and is assessed by the council's independent medical advisor. Priority can be awarded where applicants, or people included on their application, have a health problem made worse by their present living conditions or where their home is unsuitable for medical reasons.

The most pressing medical circumstances will be placed into the higher bands. There are three medical categories: Urgent Medical Priority, High Medical Priority and Recognised Medical Priority.

We will consider all medical circumstances of the household, where there is more than one. The application will be placed in a band appropriate to their combined need.

Where medical priority is given to an application, this may be for a particular type of accommodation, for example accommodation on the ground floor or with a certain number of bedrooms. In such circumstances, we will only allow the applicant to queue for type of accommodation specified.

Mutual Exchange

A mutual exchange is where one tenant swaps properties with another tenant. Only tenants with security of tenure are allowed to mutually exchange their homes, and this must be with the permission of the landlord (for example, the council or RP). If you are a secure tenant you can apply to mutually exchange with a tenant from any other council. You may also be able to swap with a tenant of a RP.

Non Active Applications

If an application is made non-active, the applicant will not normally be considered for offers of accommodation but will stay on the Housing Needs Register. Applications are usually made non-active either for a set period of time or until an action has been completed.

Applications can be made for non-active for a range of reasons - see the main policy document for details.

Non-Statutory Overcrowding

Some people can be living in overcrowded conditions but not be statutorily overcrowded. Different priority is awarded to applicants who are living in overcrowded conditions, depending on how many bed spaces they lack.

Notice to Quit

This is a written notice from a landlord to a tenant, giving them a deadline by which they must leave their home. The letter should be personally served (delivered) where possible, and a statement made to that effect.

Reasonable preference

Under the Homelessness Act of 2002, housing providers must give priority to those most in need by giving them 'reasonable preference'. This includes:

- All homeless people.
- People living in unsanitary, overcrowded or otherwise unsatisfactory housing.
- Those who need to move on medical or welfare grounds.
- People who need to move to a particular area to prevent hardship (to themselves or others).

Additional priority can be given to people within these groups with particularly urgent housing needs.

Registered Providers

A Registered Provider (RP) is an independent, non-profit making organisation that provides affordable homes for people in need. Many RPs are also known as housing associations.

Right to Move

In order for the usual local connection criteria to be waived under Right to Move the following criteria must be met:

- The applicant must be a social housing tenant.
- They must be a transferring social housing tenant who has reasonable preference under Section 166A(3)(e). (explain)
- They must be a tenant(s) whom the local authority is satisfied have to move to the local authority's locality because failure to do so would cause hardship to themselves and/or others.
- The work must not be short-term or marginal in nature, nor ancillary to work in another district (i.e. the tenants works in two districts, or may need to return to work in the original district. .
- The work must not be voluntary.
- The work should not be less than 16 hours per week. (For 15 hours or less the tenant must prove that the work is regular and the remuneration is substantial).
- The household must be able to prove their employment status. Appropriate evidence must provided, to include contract of employment, wage/salary slips, tax and/or benefits information, a formal offer letter.

If these criteria are met, the following test will be applied:

- The local authority must be satisfied that the tenant needs, rather than wishes, to move for work-related reasons.

In deciding whether a tenant needs rather than wishes to move, the following will be considered:

- The distance and/or time taken to travel between work and home
- The availability and affordability of transport, taking into account levels of earnings.
- The nature of work and whether similar opportunities are available closer to home.
- Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move.
- The length of the work contract
- Whether employees are serving a Probationary period at work and permanent employment has not yet been confirmed.
- Whether failure to move would result in the loss of an opportunity to improve their employment circumstances.

The following applicants will not be eligible under the Right to Move:

- Social Housing Tenants where their landlord is in the process of taking any formal legal action against the tenancy or if they have arrears or rent.

We will not consider Social Housing Tenants who are about to be evicted. This will apply to any tenants who have a current Notice of Seeking Possession (NOSP)

- Households are living in Hertfordshire

These households should not be eligible for Right to Move as the Public transport links between Welwyn Hatfield and all other Hertfordshire local authority areas are very good.

- Households who live outside of Hertfordshire but where:

The quality, accessibility and affordability of public transport is considered to be sufficient to enable the applicant to travel to work from outside the area.

Where public transport links or the travel to work time/ability is considered to be poor, the nature of the work will be considered and whether it is short-term, marginal, ancillary or voluntary.

Households who either already work in Welwyn Hatfield or have been made an offer of employment in Welwyn Hatfield.

The work must be exceptional to Welwyn Hatfield e.g. for essential services such as clinical employment in the QE2 Hospital or teaching at the University of Hertfordshire. This will be decided on a case-by-case basis.

Priority banding for households who are accepted to have their lack of local connection waived through Right to Move -.

The priority of the household on the housing register will be decided on a case-by-case basis as per our Allocations Policy.

Security of Tenure

This is the right of a tenant to live in a property unless or until the landlord obtains a court order to end the tenancy and/or regain possession of that property.

Senior Officer Panel

- This is a group of senior officers who meet every two weeks to discuss and make decisions on matters concerned with housing allocations. The Panel has powers to make decisions outside of the usual terms of the Allocations Policy, in cases where there are very exceptional circumstances.

Any officer may refer a case to the Panel.

- Each meeting elects its own chairperson, and at least three Senior Officers must be present for a meeting to be held.

Sharing Facilities

This is where an applicant has to share cooking, sleeping or bathroom facilities with people who are not in their own household.

Statutory Overcrowding

The Housing Act 1985 lays down two legal definitions of overcrowding. If either or both apply then the dwelling is statutorily overcrowded.

The room standard (Section 325)

This is based on the number and sex of the people permitted to sleep in one room.

The space standard (Section 326)

This is based on the number of people who may sleep in a property of a particular size. Property size is calculated according to the number of rooms and their floor area.

Successor/Succession

If a tenant dies, their husband, wife, or civil partner has the right to take over their tenancy. This is called succession and can only occur once.

If there is no spouse or civil partner, the tenancy may only pass to a:

- parent
- grandparent
- child
- brother
- sister
- uncle
- aunt
- nephew or
- niece

This includes step-relatives.

The home must have been that relative's main home for at least 12 months before the death of the tenant. If more than one relative asks to take over the tenancy, the council will decide who should take it over.

There is only one right of succession. If a tenant takes over a tenancy and then dies, other relatives cannot take over the tenancy from that tenant. But we may offer other housing to a family member who has lived in the property for many years.

Unless a husband, wife, or civil partner has taken over the tenancy, we may ask the relative to move to another home. We will do this if the home would be more suitable for a larger household or for an elderly or disabled person. If the relative turns down an offer of other suitable accommodation, we may seek possession of the property.

Temporary Accommodation

This is accommodation - which may or may not be in the council's ownership - offered to applicants who the council has a duty to provide accommodation for under homeless legislation. It is not provided on a long term basis.

Tenancy Assignment

This describes a situation where a secure tenancy is passed from a tenant to someone else. There are very strict rules about when this can happen, and tenants cannot assign their tenancy without the permission of either their landlord (for example, the council) or a Court - depending on circumstances.

Tied Tenant

This is a resident who lives in a property that is needed in order that they can better perform the duties of their job - and who would lose their home if that job ended.

Examples include some resident wardens and school caretakers.

Time Limited Bidding

Under time limited bidding applicants are given a time frame in which they must make bids. When this expires, we will bid on behalf of the applicant - and if the applicant refuses a reasonable offer his or her priority may be changed as a result. In some situations the time frame may be extended (for example, if a suitable property has not become available).

Examples of circumstances in which time limited bidding applies are given in the main document.

Transfer Applicant

A transfer applicant is any applicant who holds a secure or assured tenancy with a council/RP within Welwyn Hatfield area.

Vacant Possession

When a council or RP tenant moves home, they must make sure that everyone leaves the property when the tenancy ends. They must also return the keys to their landlord on an agreed date. This is called giving back vacant possession. The tenant(s) must also leave the property clean, tidy, and clear of all belongings and rubbish.